



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

Certified mail

*Ball
chemical*

7001 0320 0006 0176 4522

REPLY TO THE ATTENTION OF:

US EPA RECORDS CENTER REGION 5



446660

February 10, 2003

McGregor & Patterson
Attn: J. Russell McGregor
105 Smithfield Street, Suite 200
Pittsburgh, PA 15222
(re: Ranbar)

Dear Sir or Madam:

On December 20, 2002, U.S. EPA sent out letters offering a number of parties an opportunity to enter into a *de minimis* settlement with the United States to resolve alleged liability under the Comprehensive Environmental Response Compensation and Liability Act (CERCLA) for all past response costs incurred by the United States at the CRS Site and for anticipated future response costs which the United States expects it may incur at that Site. Enclosed with that letter was a copy of the Administrative Order on Consent (Consent Order) which will express the agreements of the settling parties.

The letter stated the sum U.S. EPA was prepared to accept to settle its claims against the party you represent, **Ranbar**. The letter also provided instructions and invited you to send a signature page, signed by someone authorized to commit funds on behalf of the party you represent in order to resolve this matter. That letter also invited each party to request a Waste Quantity Review if the party had any additional information to provide or believed that the volume attributed to the party was in error.

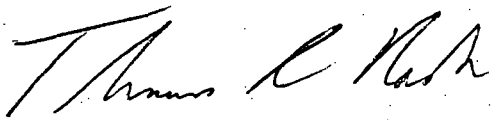
U.S. EPA has received your request for a Waste Quantity Review. U.S. EPA has reviewed and considered your request, the position or arguments you advanced, and any supporting evidence or documentation you provided. U.S. EPA has determined that the arguments and evidence you provided are not sufficiently persuasive to warrant an adjustment to the quantity attributed to the party you represent in the volumetric ranking prepared for U.S. EPA by Techlaw. Therefore, U.S. EPA is not prepared to negotiate settlement with you for a sum lower than the amount stated in our letter to you dated December 20, 2002.

U.S. EPA is still prepared to settle its claims against you for **\$33,100.00**. You must send in your signature page by **February 21, 2003**, if you wish to enter into this *de minimis* settlement. If U.S. EPA has not received a signature page from you by February 21, 2003, U.S. EPA will assume you do not intend to join in this settlement.

The enclosed Consent Order contains provisions for contribution protection and a covenant not to sue. The enclosed Consent Order, when fully executed, with the signature pages of all settling PRPs, will be forwarded to U.S. Department of Justice for approval, and notice of the terms of the settlement will be published in the Federal Register. After this notice, and consideration of comments received, the terms of the Order will become final and effective.

Please note that the terms of the Order itself provide that the sum paid to the United States in settlement does not become due until the effective date of the Order. U.S. EPA will inform you at that time when the Order becomes final and effective, and will send you instructions regarding payment at that time. Please do not send payment until you receive those instructions. Please call me at 312-886-0552 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas C. Nash". The signature is fluid and cursive, with the first name "Thomas" being more prominent than the last name "Nash".

Thomas C. Nash
Associate Regional Counsel

enclosure

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

McGregor & Patterson
Attn: J. Russell McGregor
105 Smithfield Street, Suite 200
Pittsburgh, PA 15222
(re: Ranbar)

2. Article Number

(Transfer from service label)

7001 0320 0006 0176 4522

PS Form 3811, March 2001

Domestic Return Receipt

102595-01-M-1424

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

Jamie Moody 2/13/03

C. Signature

X Jamie Moody

☐ Agent☐ AddresseeD. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes**U.S. Postal Service****CERTIFIED MAIL RECEIPT**

(Domestic Mail Only; No Insurance Coverage Provided)

OFFICIAL USE

Postage

Certified Fee

Return Receipt Fee
(Endorsement Required)Restricted Delivery Fee
(Endorsement Required)

Total Postage & Fees

Sent

Street

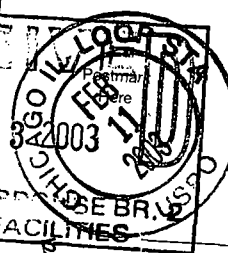
or P

City

State

Zip

McGregor & Patterson
Attn: J. Russell McGregor
105 Smithfield Street, Suite 200
Pittsburgh, PA 15222
(re: Ranbar)



Instructions